

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 PCH-12 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 OMB-01 ACDA-05 SAJ-01 COME-00 DOTE-00 EB-07

FMC-01 CG-00 OFA-01 DLOS-04 TRSE-00 CIEP-01 OES-03

SCA-01 /096 R

DRAFTED BY EUR/CE:DANDERSON:RF

APPROVED BY EUR - MR. HARTMAN

EUR - MR. VINE

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P R 052336Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY BERLIN PRIORITY

INFO AMEMBASSY BONN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY BELGRADE

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY SOFIA

AMEMBASSY VIENNA

USMISSION NATO

USMISSION USBERLIN

AMEMBASSY PRAGUE

AMCONSUL BREMEN BY POUCH

AMCONSUL DUSSELDORF BY POUCH

AMCONSUL FRANKFURT BY POUCH

AMCONSUL HAMBURG BY POUCH

AMCONSUL MUNICH BY POUCH

AMCONSUL STUTTGART BY POUCH

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E.O. 11652: GDS

TAGS: PFOR, GE, US

SUBJECT: US-GDR BILATERAL RELATIONS: NEXT STEPS

1. SUMMARY. ASSISTANT SECRETARY HARTMAN CALLED IN GDR AMBASSADOR SIEBER FEBRUARY 3 TO PRESENT US THINKING ON THE NEXT STEPS IN OUR RELATIONS WITH THE GDR. AFTER GIVING GENERAL OVERVIEW OF RELATIONSHIP, HARTMAN SAID US SIDE WAS PREPARED TO ARRANGE FOR IMPLEMENTATION OF (A) CALLS BY GDR MERCHANT SHIPS AT US PORTS; (B) SOCIAL SECURITY PAYMENTS; (C) EXCHANGE OF TECHNICAL INFORMATION; AND (D) ESTABLISHMENT OF A JOINT BUSINESS COUNCIL. HE SAID US ALSO AGREED IN PRINCIPLE TO GDR TRADE OFFICE IN NEW YORK AND, ON CASE-BY-BASE BASIS, TO CONSIDER ESTABLISHMENT OF GDR FOREIGN TRADE ORGANIZATIONS ALSO IN NEW YORK. HARTMAN SAID THAT ACTUAL IMPLEMENTATION OF LATTER STEPS WOULD DEPEND ON POSITIVE DEVELOPMENT IN AREAS OF POLITICAL IMPORTANCE TO US. HE SAID THAT NO FISHERIES AGREEMENT WAS POSSIBLE AT THIS TIME BUT URGED GDR TO CONSULT WITH US FISHERIES EXPERTS ON CERTAIN PROBLEMS IN PACIFIC NORTHWEST. HARTMAN ALSO REFERRED TO RECENT INCIDENT AT US CHANCERY IN EAST BERLIN (BERLIN 5104). SIEBER TOOK CAREFUL NOTE OF PRESENTATION AND ASKED SOME QUESTIONS. MEETING WAS FRANK AND FRIENDLY. END SUMMARY.

2. HARTMAN BEGAN THE 45-MINUTE MEETING BY PRESENTING OUR GENERAL THINKING ON THE STATE OF US-GDR RELATIONS WHICH, HE NOTED, HE HAD DISCUSSED WITH THE SECRETARY. FOLLOWING ARE THE HIGHLIGHTS OF HARTMAN'S PRESENTATION:

A. WE HAVE CAREFULLY EXAMINED EXPERIENCE GAINED DURING THE FIRST YEAR OF BILATERAL RELATIONS. FULL CONSIDERATION HAS BEEN GIVEN TO THE SEVERAL PROPOSALS MADE BY THE GDR FOR PRACTICAL IMPROVEMENTS IN OUR BILATERAL RELATIONS.

B. THE US REMAINS DEDICATED TO THE SMOOTHEST POSSIBLE DEVELOPMENT OF BILATERAL TIES. HOWEVER, AS STRESSED SEVERAL TIMES IN OFFICIAL CONVERSATIONS, AN IMPORTANT CONFIDENTIAL

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FACTOR AFFECTING RELATIONS WILL BE OUR ABILITY TO OBTAIN THE BROADEST POSSIBLE DOMESTIC AGREEMENT AS TO THE CONTENT OF US POLICY. UNDER THE US SYSTEM, THIS INCLUDES SUPPORT IN CONGRESS AND AMONG THE PUBLIC AS A WHOLE, AS WELL AS IN THE EXECUTIVE BRANCH.

C. WE CAN GIVE OUR ACCEPTANCE IN PRINCIPLE TO MOST OF THE SEVERAL USEFUL PROPOSALS MADE BY THE GDR FOR DEVELOPMENT OF SPECIFIC AREAS OF RELATIONS. HOWEVER, WE ARE NOT AS SATISFIED WITH PROGRESS IN SEVERAL AREAS OF IMPORTANCE TO THE UNITED STATES. IT WAS OUR IMPRESSION THAT THERE WAS AGREEMENT BETWEEN US ON THE NEED ALSO TO MOVE FORWARD ON THE CONSULAR NEGOTIATIONS AND WITH RESPECT TO SOLUTION OF OUTSTANDING HUMANITARIAN CASES.

D. LACK OF PROGRESS IN THESE AREAS COMPLICATES THE EFFORTS OF THE STATE DEPARTMENT TO OBTAIN THE SUPPORT NECESSARY FOR IMPORTANT NEW PROGRESS IN OUR RELATIONS, ESPECIALLY ON MATTERS PROVIDING ADDITIONAL GDR PRESENCE IN THE UNITED STATES.

E. UNTIL WE ARE ABLE TO ASSURE DOMESTIC SUPPORT, WE DO NOT BELIEVE THAT WE CAN MOVE FORWARD WITH ALL OF THE PROPOSALS MADE BY THE GDR.

3. HARTMAN SAID THAT, AS A SIGN OF OUR INTEREST IN DEVELOPING RELATIONS, WE WERE PREPARED TO ARRANGE FOR IMPLEMENTATION OF THE FOLLOWING:

A. CALLS BY GDR MERCHANT SHIPS AT US PORTS. HE SAID THAT WE HAVE DECIDED TO TAKE THE STEPS NECESSARY TO LIFT PRESENT RESTRICTIONS ON GDR MERCHANT SHIPS WISHING TO CALL AT US PORTS. HE NOTED THAT THE TECHNICAL ARRANGEMENTS WOULD BE WORKED OUT BY THE APPROPRIATE US OFFICIALS.

HE ADDED THAT IT WAS TOO EARLY IN OUR RELATIONSHIP, HOWEVER, FOR A MARITIME AGREEMENT AS THE GDR HAD PROPOSED.

B. SOCIAL SECURITY PAYMENTS. HARTMAN SAID THAT IT WOULD BE BENEFICIAL TO SOME PEOPLE IN BOTH COUNTRIES TO HAVE AN ARRANGEMENT FOR COLLECTING THEIR SOCIAL SECURITY PAYMENTS, CONFIDENTIAL

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ON A RECIPROCAL BASIS, OF COURSE. WE WISHED TO EXPLORE THIS POSSIBILITY WITH THE GDR AND OUR EXPERTS WOULD BE IN TOUCH WITH THE GDR EMBASSY.

C. EXCHANGE OF TECHNICAL INFORMATION. HARTMAN SAID THAT, ALTHOUGH IT WAS TOO EARLY TO CONSIDER A SCIENTIFIC-TECHNOLOGICAL EXCHANGE AGREEMENT (AS THE GDR HAS PROPOSED) WE DID AGREE IT WOULD BE USEFUL TO EXCHANGE INFORMATION

IN THIS FIELD. WE WOULD PROPOSE TO SEND A DELEGATION OF US LICENSING EXPERTS TO THE GDR THIS SPRING, UNDER ASSISTANT COMMERCE SECRETARY ANCKER-JOHNSON, TO LEARN ABOUT GDR LICENSING AND PATENT PROCESSES. WE WOULD ALSO

WELCOME GDR EXPERTS' VISITS HERE AND EXPECTED THAT SUCH EXCHANGES SHOULD BENEFIT BOTH SIDES IN THE TECHNICAL AND TRADE FIELDS.

D. ESTABLISHMENT OF A JOINT BUSINESS COUNCIL. HARTMAN NOTED THAT WE HAD HEARD OF GDR EFFORTS WITH US BUSINESSMEN TO ESTABLISH A JOINT BUSINESS COUNCIL. HE SAID WE WOULD SUPPORT THE IDEA WHICH HE THOUGHT COULD FACILITATE TRADE.

4. TURNING TO THE EAST GERMAN PROPOSAL FOR A GDR TRADE OFFICE IN NEW YORK, HARTMAN SAID THAT THE US AGREED IN PRINCIPLE TO THE TRADE OFFICE WHICH WOULD BE WITHOUT DIPLOMATIC STATUS AND WOULD INVOLVE RECIPROCITY FOR THE US SIDE. HE SAID THAT WE ALSO AGREED IN PRINCIPLE TO CONSIDER ON A CASE-BY-CASE BASIS APPLICATIONS FOR ESTABLISHMENT OF FOREIGN TRADE ORGANIZATION OFFICES IN NEW YORK, AGAIN WITHOUT DIPLOMATIC STATUS AND WITH THE SAME POSSIBILITIES BEING GIVEN TO US FIRMS WISHING TO OPERATE IN THE GDR. HARTMAN STRESSED THAT ACTUAL IMPLEMENTATION OF THESE TRADE OFFICE AND FTO STEPS WOULD DEPEND ON POSITIVE DEVELOPMENT OF RELATIONS IN AREAS OF POLITICAL IMPORTANCE TO US, ESPECIALLY THE CONSULAR NEGOTIATIONS AND OUTSTANDING HUMANITARIAN CASES.

5. HARTMAN REFERRED TO THE BILATERAL FISHERIES PROBLEM. HE SAID THAT THE US HAD BEEN REASSESSING ITS FISHERIES
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POLICY IN CONNECTION WITH THE 200-MILE ECONOMIC JURISDICTION WHICH APPEARED IMMINENT, EITHER AS A RESULT OF CONGRESSIONAL ACTION OR THE LOS DISCUSSIONS. WE HAD DECIDED THAT WE COULD NOT ENTER INTO NEW NEGOTIATIONS OR FISHERIES DISCUSSIONS UNTIL THAT SITUATION WAS CLARIFIED. WE VALUED THE GDR COOPERATION ON FISHERIES MATTERS IN THE ATLANTIC. WE URGED THE GDR EXPERTS TO MEET WITH OUR OWN TO RESOLVE SOME PROBLEMS THAT HAD ARISEN OVER EAST GERMAN ACTIONS IN THE PACIFIC NORTHWEST. GDR RESTRAINT THERE WOULD HELP AVOID A FURTHER DETERIORATION IN THE ALREADY DIFFICULT POLITICAL CLIMATE SURROUNDING FISHERIES MATTERS.

6. HARTMAN REFERRED TO THE INCIDENT AT THE CHANCERY IN EAST BERLIN (BERLIN 5104). HE SAID HE KNEW THERE WERE DIFFERENCES AS TO THE FACTS OF WHAT HAPPENED, BUT EXPRESSED HIS EXPECTATION THAT THERE WOULD BE NO FURTHER EVENTS OF THIS SORT IN THE FUTURE SINCE THEY COULD HAVE AN UNFORTUNATE EFFECT ON RELATIONS. HE CLOSED HIS PRESENTATION BY EXPRESSING THE HOPE THAT RELATIONS COULD MOVE AHEAD QUICKLY, AS THEY SHOULD, WITH THE EARLY CONCLUSION OF THE CONSULAR CONVENTION.

7. SIEBER THANKED HARTMAN FOR HIS REMARKS. HE TOOK UP IMMEDIATELY THE QUESTION OF THE CONSULAR NEGOTIATIONS. HE SAID HE THOUGHT HARTMAN HAD TOLD BEIL LAST DECEMBER THAT SOME WAY MIGHT BE FOUND TO DEFINE NATIONALITY IN A MANNER ACCEPTABLE TO BOTH SIDES. HARTMAN SAID HIS POSITION HAD BEEN CLEAR THEN: IT WAS THAT A DEFINITION OF NATIONALITY WAS INAPPROPRIATE FOR THE US IN A CONSULAR CONVENTION. IT WAS NOT A PROBLEM THAT WE SHOULD GET INTO WITH THE GDR. IT MIGHT BE IMPORTANT FOR THE

GDR, BUT IT WAS NOT FOR US. IN FACT, THE GDR'S RAISING THE PROBLEM HAD ONLY DELAYED CONCLUSION OF THE CONVENTION. SIEBER COMMENTED THAT OTHER COUNTRIES "WITH YOUR SOCIAL SYSTEM" HAD FOUND WAYS TO RESOLVE THE PROBLEM TO BOTH SIDES' SATISFACTION. HARTMAN REPLIED THAT OUR LAWS WERE VERY DIFFERENT FROM THOSE OF OTHER COUNTRIES IN THIS NATIONALITY/CITIZENSHIP AREA. HE ENDED DISCUSSION OF THIS SUBJECT BY STRESSING THAT NATIONALITY WAS NOT SOMETHING WE HAD EVER TRIED TO DEFINE IN A CONSULAR AGREEMENT
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AND HE THOUGHT IT MOST UNLIKELY WE WOULD BE ABLE TO DO SO NOW. SIEBER SAID, SOMEWHAT WOEFULLY, THAT PERHAPS THE EXPERTS SHOULD DISCUSS THE MATTER DURING THE NEXT ROUND OF NEGOTIATIONS.

8. SIEBER ASKED WHETHER HARTMAN MEANT THAT PROGRESS IN SOME AREAS OF RELATIONS WOULD NOT BE MADE UNTIL THERE WAS A CONSULAR AGREEMENT. HARTMAN SAID THAT THIS WAS THE CASE. HE SAID THAT EARLY RESOLUTION OF THAT ISSUE WOULD ALLOW US TO MOVE ON MORE SMOOTHLY WITH THE DEVELOPMENT OF RELATIONS. SIEBER NOTED THAT THE GDR HAD ALREADY SETTLED SOME OF THE "SO-CALLED" HUMANITARIAN CASES: NINE OF THE ORIGINAL LIST OF 24 HAD BEEN SOLVED, THE OTHERS WERE UNDER REVIEW AND NONE HAD BEEN REJECTED. HARTMAN SAID WE APPRECIATED WHAT HAD BEEN DONE BUT THAT CONTINUED PROGRESS WAS NECESSARY IN THIS AREA SO AS TO HELP GENERATE THE PROPER ATMOSPHERE FOR OUR RELATIONS. HE NOTED THAT THIS WAS A PARTICULARLY SENSITIVE SUBJECT AS FAR AS THE CONGRESS WAS CONCERNED. SIEBER ASKED SEVERAL OTHER CLARIFYING QUESTIONS OF LESSER IMPORTANCE. HE ALSO ASKED FOR AN EARLY REPLY TO THE GDR NOTE ON THE CASE OF THE DUERER PAINTINGS.

9. THE ENTIRE MEETING WAS FRANK AND FRIENDLY, WITH SIEBER DEPARTING SEEMINGLY PLEASED WITH THE EVIDENCE OF SOME FORWARD MOVEMENT IN RELATIONS BUT ALSO AWARE OF OUR STRESS ON THE NEED FOR AN EARLY CONCLUSION OF THE CONSULAR AGREEMENT AND FURTHER PROGRESS ON HUMANITARIAN CASES.

10. ACTION EMBASSY BERLIN: CONCERNING VISIT OF US DELEGATION FOR DISCUSSIONS OF LICENSING AND PATENTS, SCHEDULING CHANGES HAVE MADE THE PERIOD MARCH 28-APRIL 3 AVAILABLE FOR A VISIT TO BERLIN. EMBASSY SHOULD CONTACT APPROPRIATE GDR OFFICIAL AS SOON AS POSSIBLE AND PROPOSE THAT US DELEGATION COME TO BERLIN ON THESE DATES. IN SUGGESTING VISIT, EMBASSY SHOULD DRAW ON BACKGROUND CONTAINED IN STATE 292238 BUT SHOULD NOT LEAVE FORMAL AIDE MEMOIRE. IN DESCRIBING REQUEST, EMBASSY SHOULD PLACE FIRST EMPHASIS ON US-GDR BILATERAL RELATIONS AND THE CONTEXT FOR DEVELOPMENT OF TIES AS DESCRIBED ABOVE. ADDITIONAL DETAILS WILL BE SENT WHEN AVAILABLE IN SEPTTEL.

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HOWEVER, DUE TO SHORT TIME REMAINING, EMBASSY SHOULD
ATTEMPT TO OBTAIN GDR RESPONSE ON PROPOSED DATE FOR VISIT
AS SOON AS POSSIBLE. KISSINGER

NOTE BY OC/T: POUCHED ABOVE ADDRESSEES.

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<< END OF DOCUMENT >>

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